

UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

John Hayes

v.

Case No. 19-cv-1003-PB

FCI Fort Dix

ORDER

No objection having been filed, I herewith approve the Report and Recommendation of Magistrate Judge Andrea K. Johnstone dated May 19, 2020 and dismiss Mr. Hayes's § 2241 petition without prejudice to his ability to refile it in the United States District Court for the Southern District of New York. "[O]nly those issues fairly raised by the objections to the magistrate's report are subject to review in the district court and those not preserved by such objection are precluded on appeal.'" School Union No. 37 v. United Nat'l Ins. Co., 617 F.3d 554, 564 (1st Cir. 2010) (quoting Keating v. Secretary of Health & Human Servs., 848 F.2d 271, 275 (1st Cir.1988)); see also United States v. Valencia-Copete, 792 F.2d 4, 6 (1st Cir. 1986) (after proper notice, failure to file a specific objection to magistrate's report will waive the right to appeal).

/s/Paul Barbadoro
Paul Barbadoro
United States District Judge

Date: June 25, 2020

cc: John Hayes, pro se